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CHRISTOPHER RYAN BUSBY

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER RYAN BUSBY,

Defendant.

Case No.: 2:15-cr-00353-GMN-NJK

**STIPULATION TO CONTINUE  
EVIDENTIARY HEARING**

**(Third Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Nadia Ahmed, Assistant United States Attorney, and Angela Dows, Esq., counsel for the Defendant, Christopher Ryan Busby, that: (a) the evidentiary hearing regarding Defendant's Motion Pursuant to 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (ECF No. 184), currently set for July 1, 2024, along with (b) the deadline for the joint preliminary brief, be vacated and continued to a date and time convenient to the Court, but no sooner than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. On October 10, 2023, the Court issued an Order denying Busby's motion in part and preserving for evidentiary hearing certain of his claims relating to alleged ineffective assistance of his defense counsel (ECF No. 203).

2. Pursuant to the parties' request, the Court set the evidentiary hearing for February 29, 2024. (ECF No. 207).

1           3.       The parties subsequently submitted one or more stipulations to continue the  
2 evidentiary hearing (first request), with a continued evidentiary hearing date of May 1, 2024, and  
3 July 1, 2024. (ECF No. 212; ECF No. 234).

4           4.       The Court ordered the parties to submit a joint preliminary brief listing the  
5 witnesses the parties intend to call, and explaining the issues the parties intend to clarify and  
6 develop at the hearing, which currently has a due date of on or before June 17, 2024.

7           5.       Counsel for the defendant hired a computer forensic expert in the matter.  
8 Without disclosing a level of detail that may include work product, said expert has not yet been  
9 able to complete its review of the discovery and complete the work anticipated in the case.  
10 Said computer expert is still in the review process. Due to the nature of the case, a review of the  
11 underlying computer information requires an appointment at a facility in which the information  
12 is stored at a work station with law enforcement. Per the expert, said expert has been able to  
13 coordinate a visit at the facility on May 9, 2024; May 13, 2024, and May 14, 2024. As of the  
14 end of May, 2024, at least one additional appointment was anticipated by the expert to review  
15 the information at the law enforcement facility.

16           6.       On May 10, 2024, Busby was assaulted by another inmate at the Nevada Southern  
17 Detention Center in Pahrump Nevada. The assault resulted in Busby losing several teeth, having  
18 facial fractures requiring surgical installation of metal plates, and a compromised eye socket.  
19 Busby is continuing to work through medical treatment related to the injuries. The medical  
20 treatment has limited the availability of counsel to confer with the client.

21           7.       On May 19, 2024, counsel for Busby filed a motion for leave to file first amended  
22 motion to vacate, with the Government responding to the motion on June 3, 2024. (ECF No. 239;  
23 ECF No. 242). A reply is due on or before June 10, 2024.

1           8.       On June 4, 2024, counsel for Busby filed a motion for discovery, with a response  
2 due on or before June 18, 2024. (ECF No. 243).

3           9.       Without revealing details as to the same, defendant's retained investigator was  
4 out of the state on one or more other assignments and is anticipated to interview one or more  
5 additional witnesses in this matter prior to the evidentiary hearing.

6           10.      The defendant is in custody and agrees with the need for the continuance.

7           11.      Additionally, denial of this request for continuance could result in a miscarriage  
8 of justice.

9           12.      This is the third request for a continuance filed herein.

10          13.      Accordingly, the parties request a sixty (60) day continuance of the hearing date  
11 and joint preliminary brief.

12          DATED this 6th day of June 2024.

13 Respectfully submitted,

14 JASON M. FRIERSON  
United States Attorney

15 /s/ Nadia J. Ahmed  
16 NADIA J. AHMED  
Assistant United States Attorney

/s/ Angela H. Dows  
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Attorney for **CHRISTOPHER BUSBY**

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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,  
9 Plaintiff,

Case No.: 2:15-cr-00353-GMN-NJK

10 vs.

**ORDER**

11 CHRISTOPHER RYAN BUSBY,  
12 Defendant.

13 IT IS THEREFORE ORDERED that the evidentiary hearing scheduled for Petitioner  
14 Christopher Ryan Busby's Motion to Vacate, Set Aside, or Correct Sentence Under 28 U.S.C.  
15 § 2255 (ECF No. 184), currently scheduled for July 1, 2024, be vacated and continued to  
16 \_\_\_\_\_September 16, 2024,\_\_\_\_\_ at the hour of \_\_\_\_9:00AM\_\_\_\_.

17 IT IS FURTHER ORDERED that the deadline for filing the joint preliminary brief be  
18 continued to \_\_\_\_\_September 3, 2024.\_\_\_\_\_.

19 DATED this 10 day of June, 2024.

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UNITED STATES DISTRICT JUDGE